
Facts on Open Burning for Business, Industry and Municipalities in Wisconsin

Wisconsin Department of Natural Resources



Wisconsin businesses, industry and municipalities generally will need an approved incinerator

to burn waste materials and are prohibited from doing any open burning with one exception. If a business, industry or municipality wishes to burn clean wood waste or brush, it must first obtain approval and a license from the Solid Waste Management Program to operate as a "woodburning facility," as required in section NR 502.11, Wis. Admin. Code. A woodburning facility license may include guidance limiting the burning conditions and amounts of material that may be burned, to ensure that air quality is not adversely affected. Please contact your district Solid Waste Management staff to get additional information on what is needed to get this license.

If the woodburning facility license is issued in an area that is in an intensive or extensive fire control area, the facility must also obtain a burning permit in accordance with Chapter 26 of the Wisconsin Statutes from the local representative of the Forestry program. Burning should be done only under favorable burning conditions: relative humidity not more than 65 percent, and winds of 5 to 12 mph.

Materials that MAY NOT be burned

The administrative rules of the Air Management and Solid Waste Management Programs

prohibit anyone from burning any of the following materials under any conditions:

- wet, combustible rubbish, such as wet cardboard or paper
- oily substances, such as oily or greasy rags, oil filters, etc.
- asphalt, such as asphalt shingles or tar paper
- plastics of any kind, including plastic bottles and plastic bags
- rubber products, including tires and hoses

Small businesses, commercial enterprises, and industries may not use burn barrels or engage in other kinds of open burning and may not be granted burning permits by municipalities. However, the prohibition on burn barrels does not apply to small businesses in which the owners reside at the same location and cannot separate their business waste from their household waste.

Since January 3, 1993, Wisconsin's Recycling Law has prohibited the disposal or burning of yard waste without using energy recovery in solid waste facilities (including commercial, municipal, industrial and government landfills and wood burning facilities). Yard waste is defined as leaves, grass clippings, yard and garden debris, and brush, including clean, woody vegetative matter smaller than six inches in diameter. However, a new law effective May 1994 allows the DNR to grant wood burning facilities a conditional waiver to burn yard and garden brush.

As of January 1, 1995, the Recycling Law requires that the following items may neither be burned at commercial, industrial or municipal facilities *nor* sent to landfills for disposal:

- office paper
- glass containers
- steel containers
- aluminum containers
- plastic containers made of #1 or #2 recyclable plastic (a variance has been granted until January 1, 1997, for containers made of #3 through #7 recyclable plastic)
- corrugated paper or other container board
- newspapers or other material printed on newsprint
- magazines or other material printed on similar paper
- containers for carbonated or malt beverages made from a combination of steel and aluminum
- waste tires (however, these may be incinerated with energy recovery at specially designed and licensed facilities)
- foam polystyrene packaging (beginning January 1, 1997)

Packaging materials, such as corrugated shipping containers, roll wrapper stock or scrap wood, are classified as municipal solid waste, not as industrial process waste. Consequently, these materials may be burned only in a permitted municipal solid waste combustor licensed by the Solid Waste Management Program.

Commercial and industrial operations also may not burn wood pallets, wood scraps, brush, or other clean wood unless they obtain a DNR license for a "wood burning facility" as defined in section NR 502.11, Wis. Admin. Code. This approval contains numerous restrictions. The business may also need to obtain a burning permit in accordance with the Forestry Program's requirements in Chapter 26 of the Wisconsin Statutes.

With these limitations, businesses are trying to find ways to generate less waste and reuse or recycle as much as possible. **Contact your local recycling coordinator or UW-Extension Community Resource Development agent for information.** Businesses should dispose of non-recyclable wastes at an approved landfill.